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July 11, 2006

2001-847-09

Mr. Joseph McDowell  
USEPA – Region III – 3HS21  
1650 Arch Street  
Philadelphia, PA 19103-2029

RE: Crater Resources Superfund Site  
Institutional Controls Work Plan

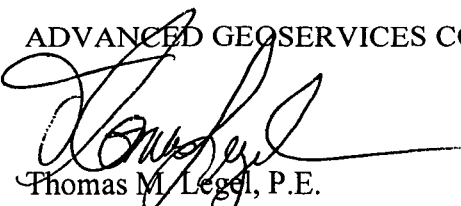
Dear Mr. McDowell:

Enclosed, please find two copies of the Institutional Controls Work Plan for the Crater Resources Superfund Site, located in Upper Merion Township, Pennsylvania. This plan covers the remedial efforts for all operable units except Quarry 4 and the Cinder Slag Fill Area. Liberty is addressing the Institutional Controls associated with those areas.

If you have any questions regarding this work plan, please contact me at 610-840-9162.

Sincerely,

ADVANCED GEOSERVICES CORP.



Thomas M. Legel, P.E.  
Supervising Contractor

TML:car

Enclosure

cc: Distribution list



**CRATER RESOURCES SUPERFUND SITE**

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**CRATER RESOURCES SUPERFUND SITE  
INSTITUTIONAL CONTROLS WORKPLAN**



**CRATER RESOURCES SUPERFUND SITE  
INSTITUTIONAL CONTROL WORKPLAN**

***Prepared By:***

**ADVANCED GEOSERVICES CORP.**

**West Chester, Pennsylvania**

Prepared by: \_\_\_\_\_

Thomas M. Legel, P.E.  
Advanced GeoServices Corp.

Approved by: \_\_\_\_\_

Joseph McDowell, RPM  
United States Environmental Protection Agency

**JULY 11, 2006**

**Revision 0**

**2001-847-09**



**CRATER RESOURCES SUPERFUND SITE**

**INSTITUTIONAL CONTROL WORKPLAN**

*Prepared By:*

**ADVANCED GEOSERVICES CORP.**

**West Chester, Pennsylvania**

JULY 11, 2006  
Revision 0  
2001-847-09

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FIGURE

Figure 1 Parcel Locations for Institutional Controls



## 1.0 INTRODUCTION

### 1.1 PURPOSE

The United States Environmental Protection Agency (USEPA) issued a Unilateral Administrative Order (Order) on April 30, 2001, to Beazer East, Inc, Crater Resources, Inc., Each Parcel As Is, Inc., Gulph Mills Golf Club, Inc., Keystone Coke Company, Inc., Liberty Property Trust, Liberty Property Limited Partnership, R-T Option Corporation, and Vesper Corporation (Respondents), which requires the Respondents named in that Order to prepare a Remedial Design and implement a Remedial Action in accordance with the selected remedy described in the Record of Decision (ROD) for the Crater Resources Superfund Site (Site). The purpose of this Institutional Controls Work Plan is two fold:

1. To identify the institutional controls that will be necessary to meet the requirements of the ROD and the Order.
2. To provide USEPA and Pennsylvania Department of Environmental Protection (PADEP) with a plan and schedule of activities to be performed by the Respondents to obtain the necessary institutional controls in order to meet the requirements of the ROD and the Order.

Institutional controls will be implemented to restrict the use and/or disturbance of on-site soil, sediment, surface water and groundwater at the Site, except as required for implementation of the remedy, in order to reduce the potential for human exposure to contamination. Institutional controls (e.g., local ordinances, easements and covenants, title notices and land use restrictions) will be established in order to prevent any disturbance of the covered areas once installed, as well as to preclude the installation of any potable wells in the aquifer containing trace residuals and surrounding areas. In addition, access agreements in connection with adjacent property owners may be required to perform remedial activities and groundwater monitoring, as well as to provide stormwater management facilities.



## 1.2 ORGANIZATION

### 1.2.1 Participating Parties

Several parties will be involved in obtaining and or granting institutional controls at the Site, as described below:

- The Crater Resources Cooperating Respondent Group (Group) consists of the following parties: Keystone Coke Company, Vesper Corporation, Beazer East Inc., Crater Resources, Inc., Haploid Corporation, Swedeland Road Corporation, RAGM Settlement Corporation, R-T Option Corporation, and Each Parcel As Is, Inc. The Group is responsible for establishing institutional controls necessary to reduce the potential for human exposure to contamination associated with Quarries 1, 2 and 3, groundwater beneath the Site, the former off-site waste ammonia liquor (WAL) pipeline, and Area 6.
- RAGM Holding Company (RAGM) is a holding company that now owns Crater Resources, Inc., Haploid Corporation, Swedeland Road Corporation, RAGM Settlement Corporation, R-T Option Corporation, Out Parcels, Inc. and Each Parcel As Is, Inc.
- Gulph Mills Golf Club is the owner of the adjacent golf course, which includes a portion of Quarry 3.
- O'Neill Properties Group (O'Neill) is a property development company that now owns a portion of the site and has begun development on that property. They will cooperate with the Group to establish the necessary institutional controls associated

with capping Quarries 1 and 2 and storm water management, under current arrangements with the Group.

- Liberty Property Trust and Liberty Property Limited Partnership (collectively Liberty) are property development companies that now own a portion of the site and have completed development on that property. They will cooperate with the Group to establish the necessary institutional controls associated with groundwater beneath their property. They are also responsible for establishing the necessary institutional controls associated with the remediation of Quarry 4.
- The U. S. Environmental Protection Agency (USEPA) is the primary regulatory authority for this Site and will provide regulatory support to the Group in their efforts to obtain easements and record deed restrictions.
- The Pennsylvania Department of Environmental Protection (PADEP) is state regulatory authority for this Site and will provide regulatory support to the Group in their efforts meet the necessary permit requirements.

#### 1.2.2 Statement of Need

The implementation of institutional controls as part of the proposed Operable Unit remedies are expected to be needed to restrict the use and/or disturbance of onsite soil, sediment, surface water, and groundwater use and/or disturbance, in order to reduce the potential for human exposure to contamination. These institutional controls may require implementation during the Remedial Design and Remedial Action, and/or the performance of Operation and Maintenance activities for each Operable Unit. The institutional controls which have been identified for implementation for each Operable Unit (OU) are discussed in the following sections. The implementation of these institutional controls will be initiated during the Remedial Design and will proceed until completion.

## 2.0 QUARRIES 1 & 2 (OU-1 AND OU-2)

### 2.1 IDENTIFIED INSTITUTIONAL CONTROLS

OU-1 and OU-2 consist of Quarries 1 and 2 respectively. The proposed remedy for these areas is the construction of a multi-layer cover over both quarries to prevent infiltration of surface water into the contaminated soils. The implementation of land use controls and access agreements are expected to be needed within the limit of each cover to restrict future development, uncontrolled excavations, utility installations, etc. Specific controls that are anticipated are listed below:

- Deed notice identifying the presence of the quarries and associated contamination.
- Deed restriction requiring notification of, and approval by, the Group if disturbance of the cover is to occur, including repair and maintenance work
- Deed restriction prohibiting construction of structures, other than surface paving and associated utilities, on the cover unless approved by the Group and USEPA.
- Deed restriction prohibiting residential use of the property.
- Perpetual Maintenance Agreement stipulating that the current and future land owners will perform all maintenance activities required for the cover.
- Access agreements to allow the Group to inspect remedial activities during construction.
- Access agreements to allow the Group to inspect the cover during the long term monitoring period.



- Access agreements to allow the Group to repair the cover, if the current and future land owners fail to make necessary repairs.

## 2.2 PROPERTIES INVOLVED

The properties associated with Quarries 1 and 2 are shown on the attached map and are designated as the “O’Neill” parcels.

## 2.3 PARTIES INVOLVED

The parties to be involved in establishing these institutional controls are the Crater Resources Cooperating Respondent Group and O’Neill Properties Group.

## 2.4 INSTITUTIONAL CONTROLS IN-PLACE

The following institutional controls are currently in-place for these OUs.

- The Upper Merion Zoning Ordinance indicates that this property is zoned as SM-1 Suburban Metropolitan District which does not permit residential use.
- The Protective Covenants established for Renaissance at Gulph Mills recorded November 6, 1992 in Book 5023, Page 2017 does not permit residential use, except as an accessory use in a mixed use development on parcels greater than 20 acres and only if approved by the developer. To date, no parcels have been approved for mixed use and there are no parcels greater than 20 acres that are undeveloped.
- The Group and O’Neill have already entered into an agreement that requires the current and future land owners to perform all future maintenance activities required

for the cover and provides access to the Group to inspect remedial activities during construction, to inspect the cover during the long term monitoring period, to repair the cover if the owner fails to make necessary repairs, to perform groundwater monitoring, to install additional groundwater monitoring wells, if necessary, and to install groundwater recovery wells and associated pipes, if the alternative groundwater remedy is required.

## 2.5 INSTITUTIONAL CONTROLS TO BE COMPLETED

The following actions will be performed to establish the institutional controls for this OU.

- O'Neill will record a deed notice at the Recorder of Deeds Office for Montgomery County identifying the presence of the quarries and associated contamination, prohibiting construction of structures, other than surface paving and associated utilities, on the cover unless approved by the Group and USEPA, prohibiting residential use of the property and requiring notification of, and approval by, the Group if disturbance of the cover is to occur, including repair and intrusive maintenance work.

## 2.6 SCHEDULE

The deed notices described above can be completed by June 30, 2007. The access agreements are already in place.

### 3.0 QUARRY 3 (OU-3)

#### 3.1 IDENTIFIED INSTITUTIONAL CONTROLS

OU-3 consists of Quarry 3. The current ROD remedy for this area is the removal of all soils and sediments which contain organic contaminants at concentrations above the soil and sediment cleanup standards listed in the ROD and inorganic contaminants above the background data, excluding mercury. The implementation of land use controls and access agreements are expected to be needed within the limit of Quarry 3 to allow remedial activities to be performed and prohibit residential use and to restrict future development, uncontrolled excavations or grade changes, utility installations, etc.

The removal of surface water from the three ponds within Quarry 3 will be performed as part of the remedial action. This surface water may be treated onsite and the treated water discharged into nearby Matsunk Creek. Permission to discharge treated water onto adjacent properties or to the Local POTW may be required. Specific controls that are anticipated are listed below:

- Deed restrictions requiring notification of, and approval by, the Crater Resources Cooperating Respondent Group if disturbance of the final surface grades and drainage patterns is to occur, including repair and intrusive maintenance work.
- Deed restrictions prohibiting residential use.
- Access agreements to allow the Group to implement the remedy.
- Perpetual Maintenance Agreements stipulating that the current and future land owners will perform all maintenance activities required for the final drainage features.

- Access agreements to allow the Group to inspect drainage features during the long term monitoring period.
- Permanent easement to allow discharge of Quarry 3 storm water to the O'Neill Basin.
- Permanent 50 ft wide access easement to Quarry 3.
- Easement, agreement and/or discharge permit for temporary discharge of treated surface water to Matsunk Creek, adjacent properties or the local POTW, including construction of temporary pipe.

### 3.2 PROPERTIES INVOLVED

The properties associated with these institutional controls are shown on the attached map and include the O'Neill parcels, the Crater Resources Inc. parcel and the Gulph Mills Golf Club parcel.

### 3.3 PARTIES INVOLVED

The parties to be involved in establishing these institutional controls are the Crater Resources Cooperating Respondent Group, the O'Neill Properties Group, the Gulph Mills Golf Club and RAGM Holding Company.

### 3.4 INSTITUTIONAL CONTROLS IN-PLACE

The following institutional controls are currently in-place for this OU.

- The Group and O'Neill have already entered into an agreement that provides a permanent easement to allow discharge of storm water from Quarry 3 to the O'Neill Basin and a permanent 50 ft wide access easement to Quarry 3.
- RAGM Holding Company has recorded a deed notice at the Recorder of Deeds Office for Montgomery County identifying the presence of their portion of the quarry, prohibiting residential use of the property and requiring notification of, and approval by, the Group if disturbance of the final grade and drainage features is to occur, including repair and intrusive maintenance work.
- The Group and RAGM Holding Company have entered into an access agreement to allow the Group to implement the remedy and inspect drainage features during the long term monitoring period.
- The Group and RAGM Holding Company have entered into a Perpetual Maintenance Agreement stipulating that the current and future land owners will perform all maintenance activities required for the final drainage features.

### 3.5 INSTITUTIONAL CONTROLS TO BE COMPLETED

The following actions will be performed to establish the institutional controls for this OU.

- The Gulph Mills Golf Club will record a deed notice at the Recorder of Deeds Office for Montgomery County identifying the presence of their portion of the quarry, prohibiting residential use of the property and requiring notification of, and approval by, the Group if disturbance of the final grade and drainage features is to occur, including repair and intrusive maintenance work.



- The Group and the Gulph Mills Golf Club will enter into an access agreement to allow the Group to: implement the remedy; discharge treated surface water to Matsunk Creek or other approved areas, including construction of temporary pipe; and inspect drainage features during the long term monitoring period.
- The Group and the Gulph Mills Golf Club will enter into a Perpetual Maintenance Agreement stipulating that the current and future land owners will perform all maintenance activities required for the final drainage features.
- The Group will enter into a discharge agreement, if appropriate, with the local POTW for discharge of surface water to the sanitary sewer system.

### 3.6 SCHEDULE

The deed notices described above can be completed by June 30, 2007. The access agreements can be completed by June 30, 2007.

#### 4.0 Quarry 4 (OU-4)

##### 4.1 IDENTIFIED INSTITUTIONAL CONTROLS

OU-4 consists of Quarry 4. The proposed remedy for this area is the construction of a multi-layer cover meeting the requirements of 25 Pa Code §288.234 and 288.236-237 to prevent unacceptable leaching of contaminants from the soils and sediment in and at Quarry 4 into the groundwater. Liberty intends to implement a demonstration project to show that OU-4 meets the criteria of 25 Pa Code §288.234(b) for a waiver of the cover and drainage layer requirements. Liberty will develop and implement appropriate land use controls for Quarry 4, as necessary, consistent with the results of the demonstration project. Liberty will prepare a separate Institutional Controls Work Plan for review and approval by USEPA, once the demonstration project is completed and any necessary controls have been identified.

## 5.0 CINDED SLAG FILL AREA (OU-5)

### 5.1 IDENTIFIED INSTITUTIONAL CONTROLS

OU-5 consists of the Cinder/Slag Fill Area. The remedy implemented by Liberty for this area was excavation and off-site disposal of impacted fill/soil. EPA approved Liberty's work and issued a Certification of Completion to Liberty for the Remedial Action at OU-5. The Remedial Action Report for the Cinder/Slag Fill Area approved by EPA stated that Liberty will implement an institutional control for this area that restricts residential use of the area until a risk assessment considering residential exposures confirms that there is no unacceptable risk for such use. The institutional controls approved for this OU include a deed restriction to be placed in the deed upon any future transfer of the property.



## 6.0 GROUNDWATER (OU-6)

### 6.1 IDENTIFIED INSTITUTIONAL CONTROLS

OU-6 consists of the groundwater beneath the entire Crater Resources Superfund Site. The remedy for groundwater is monitored natural attenuation. If natural attenuation does not achieve the remedial goals within 15 years, an alternative groundwater remedy may be required. Therefore, local land use ordinances and covenants between land owners/developers will be used/implemented to preclude the installation of any wells in the contaminated aquifer for groundwater use. Deed restrictions may supplement these controls. In addition, various access agreements will be required to install and monitor the groundwater remedy. These controls will be maintained until it is documented that the groundwater meets the performance standards. Specific controls that are anticipated are listed below:

- Deed restrictions prohibiting groundwater use.
- Access agreements to allow the Group to perform groundwater monitoring.
- Access agreements to allow the Group to install additional groundwater monitoring wells, if necessary.
- Access agreements to allow the Group to install groundwater recovery wells and associated pipes, if the alternative remedy is required.

### 6.2 PROPERTIES INVOLVED

The properties associated with these institutional controls are shown on the attached map and include the O'Neill parcels, the Crater Resources Inc. parcel, Out Parcels, Inc. parcel, the Each



Parcel As Is, Inc. parcel, the Liberty parcels and the Gulph Mills Golf Club parcel.

### 6.3 PARTIES INVOLVED

The parties to be involved in establishing these institutional controls are the Crater Resources Cooperating Respondent Group, the O'Neill Properties Group, the Gulph Mills Golf Club, RAGM Holding Company, Liberty Property Trust and Liberty Property Limited Partnership.

### 6.4 INSTITUTIONAL CONTROLS IN-PLACE

The following institutional controls are currently in-place for this OU.

- Upper Merion Township's zoning and land development ordinances prohibit the installation of groundwater wells for potable use when the property is serviced by a water main. The entire area surrounding the Crater Resources Superfund Site is serviced by water mains.
- Liberty has recorded at the Recorder of Deeds Office for Montgomery County certified copies of the Order which prohibits the installation of new groundwater supply wells and potable use of groundwater from existing wells.
- The Group and Liberty have entered into an access agreement to allow the Group to perform groundwater monitoring and to install additional groundwater monitoring wells, if necessary, on the "Yellow" Property (2201 and 2301 Renaissance Blvd.), the "Pink" Property (2300 Renaissance Blvd.) and the "Crystal" Property (2100 Renaissance Blvd.).
- RAGM Holding Company has recorded a deed notice at the Recorder of Deeds Office for Montgomery County prohibiting the installation of new groundwater supply wells and potable use of groundwater from existing wells.

- The Group and RAGM Holding Company have entered into an access agreement to allow the Group to perform groundwater monitoring; to install additional groundwater monitoring wells, if necessary; and if the alternative groundwater remedy is required, to install groundwater recovery wells, treatment systems and associated collection and discharge pipes.

#### 6.5 INSTITUTIONAL CONTROLS TO BE COMPLETED

The following actions will be performed to establish the institutional controls for this OU.

- O'Neill will record a deed notice at the Recorder of Deeds Office for Montgomery County, prohibiting the installation of new groundwater supply wells and potable use of groundwater from existing wells.
- The Gulph Mills Golf Club will record a deed notice at the Recorder of Deeds Office for Montgomery County, prohibiting the installation of new groundwater supply wells and potable use of groundwater from existing wells.
- The Group and the Gulph Mills Golf Club will enter into an access agreement to allow the Group to perform groundwater monitoring; to install additional groundwater monitoring wells, if necessary; and if the alternative groundwater remedy is required, to install groundwater recovery wells, treatment systems and associated collection and discharge pipes.
- If the alternative groundwater remedy is required and it is necessary to install groundwater recovery wells, treatment systems and/or associated collection and discharge pipes on Liberty's property as part of that remedy, the Group will



negotiate an access agreement with Liberty granting permission for the Group to perform this work.

#### 6.6 SCHEDULE

The deed notices described above can be completed by June 30, 2007. The access agreement with Gulph Mill Golf Club can be completed by June 30, 2007. The Group will advise EPA regarding the schedule for completing a further access agreement with Liberty should it become necessary in connection with EPA requiring the implementation of the alternative groundwater remedy.



## 7.0 FORMER WAL PIPELINE (OU-7)

### 7.1 IDENTIFIED INSTITUTIONAL CONTROLS

OU-7 consists of the off-site former WAL pipeline. The ROD requires that the entire route of the former WAL pipeline (between the former Alan Wood Steel facility and Quarries 1, 2, and 3) be fully investigated and characterized where there has not been a previous action taken in order to determine the existence of any contamination along the pipeline route. A portion of the former WAL pipeline may be located beneath existing buildings and active roadway/parking areas which will preclude the removal of the pipeline and surrounding soils. If so, easements/deed restrictions are expected to be required in these areas to prevent future contact with the pipeline or potentially impacted soil. Specific controls that are anticipated are listed below:

- Deed notices identifying the presence of the pipeline and associated soil contamination, if found and not removed from below buildings, paved areas or parking lots.
- Deed restrictions prohibiting disturbance of the impacted area, other than surface paving, unless approved by USEPA.
- Access agreements to allow the Group to perform investigations as required by USEPA.
- Access agreement to allow the Group to remove the pipeline and impacted soil, if found, and to restore the area.
- Access agreements to allow the Group to install additional groundwater monitoring wells, if necessary.
- Access agreements to allow the Group to perform groundwater monitoring, if necessary.





## 7.2 PROPERTIES INVOLVED

The properties associated with these institutional controls are shown on the attached map and include the Triad property, the Williamsburg Commons Homeowners Association property, the RAGM Holdings Company property, the Francis Schultz property, and the Swedeland Development Corporation property.

## 7.3 PARTIES INVOLVED

The parties to be involved in establishing these institutional controls are the Crater Resources Cooperating Respondent Group, the Williamsburg Commons Homeowners Association, RAGM Holding Company, Francis Schultz, the Swedeland Development Corporation and Triad Reality Associates, LLC.

## 7.4 INSTITUTIONAL CONTROLS IN-PLACE

The following institutional controls are currently in-place for this OU.

- The Group has finalized access agreements for the pipeline investigation on properties owned by RAGM Holding Company, Triad Reality Associates, LLC, Mr. Francis Schultz, Swedeland Development Corporation, and the Williamsburg Commons Homeowners Association.

## 7.5 INSTITUTIONAL CONTROLS TO BE COMPLETED

The following actions will be performed to establish the institutional controls for this OU.



- The Group will enter into an access agreement with Triad Reality Associates, LLC to allow the Group to perform removal/restoration activities where required by USEPA.
- The Group will enter into an access agreement with RAGM Holding Company to allow the Group to perform removal/restoration activities where required by USEPA.
- Upon completion of the pipeline investigation, the Group will enter into an access agreement with the Williamsburg Commons Homeowners Association to allow the Group to perform removal/restoration activities, if necessary, on the Williamsburg Commons property, where required by USEPA.
- Upon completion of the pipeline investigation, the Group will enter into an access agreement with Mr. Francis Schultz to allow the Group to perform removal/restoration activities, if necessary, on Mr. Schultz's property where required by USEPA.
- Upon completion of the pipeline investigation, the Group will enter into an access agreement with Swedeland Development Corporation to allow the Group to perform removal/restoration activities, if necessary, on Swedeland Development Corporation's property where required by USEPA.
- Upon completion of the pipeline investigation, the Group will enter into an access agreement with Triad Reality Associates, LLC to allow the Group to perform removal/restoration activities, if necessary, on Swedeland Development Corporation's property where required by USEPA.

## 7.6 SCHEDULE

The Group has completed access agreements for the pipeline investigation. Upon completion of the pipeline investigation, the Group will advise EPA regarding the schedule for completing additional activities.

## 8.0 AREA 6 (OU-8)

### 8.1 IDENTIFIED INSTITUTIONAL CONTROLS

OU-8 consists of Area 6 (AKA Former Dump Area) as identified in the Crater Resources Superfund Site Remedial Investigation Report. Removal of contaminated soils was performed in Area 6 in 1997. Additional sampling has been performed within the limits of Area 6 to verify that the previous excavation activities removed contaminated soils to levels below acceptable risk based concentrations. The risk assessment has been completed and submitted to USEPA for review and approval. The risk assessment concludes that no further action is required. Specific controls that are anticipated are listed below:

- Deed restriction prohibiting residential use.
- Access agreement to allow the Group to perform additional investigation, if necessary.
- Access agreement to allow the Group to implement a remedy, if necessary.

### 8.2 PROPERTIES INVOLVED

The properties associated with these institutional controls are shown on the attached map and include the Out Parcels, Inc. property (AKA Lot 44).

### 8.3 PARTIES INVOLVED

The parties to be involved in establishing these institutional controls are the Crater Resources Cooperating Respondent Group and RAGM Holding Company.



#### 8.4 INSTITUTIONAL CONTROLS IN-PLACE

The following actions have been performed to establish the institutional controls for this OU.

- RAGM Holding Company has recorded a deed notice at the Recorder of Deeds Office for Montgomery County identifying the presence of the impacted area, and prohibiting residential use of the property.
- The Group and RAGM Holding Company have entered into an access agreement to allow the Group to perform investigations and implement a remedy if necessary.
- The Group and RAGM Holding Company have entered into a Perpetual Maintenance Agreement stipulating that the current and future land owners will perform all necessary maintenance activities.

#### 8.5 SCHEDULE

The deed restrictions and access agreements have been executed.

## 9.0 LOT 44 SOUTHEAST PROPERTY AREA (OU-9)

### 9.1 IDENTIFIED INSTITUTIONAL CONTROLS

OU-9 consists of the southeast corner of Lot 44. Sampling was performed within this area and impacted soils have been identified. The risk assessment has been completed and submitted to USEPA for review and approval. The risk assessment concludes that soil at one location exceeds acceptable risk. The remediation for this area is likely a limited soil removal action. Specific controls that are anticipated are listed below:

- Deed restriction prohibiting residential use.
- Access agreement to allow the Group to perform additional investigation, if necessary.
- Access agreement to allow the Group to implement a remedy, if necessary.

### 9.2 PROPERTIES INVOLVED

The properties associated with these institutional controls are shown on the attached map and include the Out Parcels, Inc. property (AKA Lot 44).

### 9.3 PARTIES INVOLVED

The parties to be involved in establishing these institutional controls are the Crater Resources Cooperating Respondent Group and RAGM Holding Company.



#### 9.4 INSTITUTIONAL CONTROLS IN-PLACE

The following actions have been performed to establish the institutional controls for this OU.

- RAGM Holding Company has recorded a deed notice at the Recorder of Deeds Office for Montgomery County identifying the presence of the impacted area and prohibiting residential use of the property.
- The Group and RAGM Holding Company have entered into an access agreement to allow the Group to perform investigations and implement a remedy if necessary.
- The Group and RAGM Holding Company have entered into a Perpetual Maintenance Agreement stipulating that the current and future land owners will perform all necessary maintenance activities.

#### 9.5 SCHEDULE

The deed restrictions and access agreements described above have been completed.

## 10.0 LOT 7 (OU-10)

### 10.1 IDENTIFIED INSTITUTIONAL CONTROLS

OU-10 consists of the eastern half of the Each Parcel As Is, Inc. property (east of Renaissance Boulevard, AKA Lot 7). Sampling was performed within this area and impacted soils have been identified. The risk assessment concludes that soil at one location exceeds acceptable risk. The remediation for this area is likely a limited soil removal action. Specific controls that are anticipated are listed below:

- Deed restriction prohibiting residential use.
- Access agreement to allow the Group to perform additional investigation, if necessary.
- Access agreement to allow the Group to implement a remedy, if necessary.

### 10.2 PROPERTIES INVOLVED

The properties associated with these institutional controls are shown on the attached map and include the Each Parcel As Is, Inc. property (AKA Lot 7).

### 10.3 PARTIES INVOLVED

The parties to be involved in establishing these institutional controls are the Crater Resources Cooperating Respondent Group and RAGM Holding Company.



#### 10.4 INSTITUTIONAL CONTROLS IN PLACE

The following actions have been performed to establish the institutional controls for this OU.

- RAGM Holding Company has recorded a deed notice at the Recorder of Deeds Office for Montgomery County identifying the presence of the impacted area, and prohibiting residential of the property.
- The Group and RAGM Holding Company have entered into an access agreement to allow the Group to perform investigations and implement a remedy if necessary.
- The Group and RAGM Holding Company have entered into a Perpetual Maintenance Agreement stipulating that the current and future land owners will perform all necessary maintenance activities.

#### 10.5 SCHEDULE

The deed restrictions and access agreements have been completed.



## 11.0 REPORTING

The Crater Resources Cooperating Respondent Group will prepare a log of the institutional controls that are required for the Operable Units described above. The log sheet will include status updates and will be included in the monthly progress report submitted to the USEPA.



**FIGURE**

**SDMS US EPA Region III**  
*Imagery Insert Form*

Site Name: Crater Resources

Document ID:

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